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## FACSIMILE COVER SHEET

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Deliver to: Kevin L. Ellis, USPTO	Art Group:2651			
Facsimile No.: <u>703_872-93</u> 06	Date: December 16, 2004_			
From: William E, Alford, Reg. No. 37	2,764			
Our Docket No.: 42P8827D	Number of pages 27 Including this sheet.			
Application No.: 10/618,885	Filing Date: 7/14/2003			
	Docket Due Date(s): 12/16/2004			
Enclosed are the following documents:				
Amendment: Response (22 pgs)	☐ Issue Fee Transmittal			
☐ Appeal Brief (in triplicate) ( pgs)	☐ Notice of Appeal			
Application:	Petition for:			
Amendment: Response	☐ Request for Continued Exemination (RCE)			
☐ Assignment & Cover Sheet ( pgs)	☐ Reply Brief (pgs)			
☐ Certificate of Facsimile	☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)			
☐ Continued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request			
Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter			
Drawings:sheets, figures	☐ Response to Written Opinion (pgs)			
Extension of Time:ane (1) month	☐ Terminal Disclaimer			
🛣 Fee Transmittal (in duplicate)	☐ Transmittal of Publication Fee Due			
☐ IDS & PTO/SB/08 ( pgs)	★ Transmittal Letter			
① Other				
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Patent and Trademark Office.	ed by Jucsimile on the date snown netow to the Ontien States			
" (1/2 ) /				
William F. West	12/16/2004			
William E. Alford	Date			
	1			

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DEC-16-2004 22:49 FROM:BSTZ

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	10/618,885				
		Filing Date	July 14, 2003				
		First Named Inventor	John F. Zumkehr				
		Art Unit	2651				
		Examiner Name	Kevin L. Ellis				
Total Number of Pages in This Submission		Attorney Docket Number	42P8827D				
ENCLOSURES (check all that apply)							
Fee Transmittal I	Form	Drawing(s)		After Allowance Communication to Group			
Fee Attact	ned	Licensing-r	elated Papers	Appeal Communication to Board of Appeals and Interferences			
Amendment / Re	sponse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
After Final Affidavits/o	declaration(s)	Petition to ( Provisional	Convert a Application	Proprietary Information			
Extension of Tim	e Request	Power of A Change of	ttomey, Revocation Correspondence Address	Status Letter			
Express Abandor	Express Abandonment Request  Information Disclosuro Statement  Terminal Disclaimer  Request for Refund		sdaimer	Other Enclosure(s) (please identify below):			
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PTO/SB/08		CD, Numbe	r of CD(s)				
Certified Copy of Priority Document(s)							
Response to Missing Parts/ Incomplete Application			T				
	Filing Fee	Remarks					
Declaration/POA				_			
Response to Missing Parts under 37 CFR 1.52 or 1.53							
·····	SIGNATURE	OF APPLIÇAN	IT, ATTORNEY, OR AC	SENT			
Firm							
or Individual name BLAKELY, SØKOLOFF, TAYLOR & ZÆFMAN LLP							
Signature	1110		n///	111111			
	With 2 Classic						
Date	December 16,	2004					
CERTIFICATE OF MAILING/TRANSMISSION							
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.							
Typed or printed nam	ne   William E/A	Kond -	(a ()()()				
Signature	VIII	1010	Staff D	ate December 16, 2004			
Based on PTO/SD/21 (04-04) as SEND TO: Commissioner for Pa	modified by Blakely, Solokofi tents, P.O Box 1450, Alexan	i, Teylor & Zelman (wir) ndria, VA 22313-1450	Ø5/04/2004				

TO:USPTO

Date

C ALIGNATETAL	Complete If Known				
FEE TRANSMITTAL	Application Number 10/618,885				
for FY 2005	Filing Date		July 14, 2003		
Patent fees are subject to annual revision.	First Named Inventor		F. Zumkel	hr	
Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name	Kev	in L. Ellis		
	Art Unit	265			
TOTAL AMOUNT OF PAYMENT (\$) 520 000.	Attorney Docket No.	42P8	827D		
METHOD OF PAYMENT (check all that apply)					
	other (please identify):				
	eposit Account Name:	Blakely, Sc	koloff, Tav	lor & Zafman LLP	
For the above-identified deposit account, the Director is h	•				
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Charge any additional fee(s) or underpayment of fee			,		
under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.	(o) Excitatiy ove	.ipuymama			
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2. ADDITIONAL FEES			,		
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1052 50 2052 25 Surcharge - late provisional filing fee or cover shee 2053 130 2053 130 Non-English specification	eL .	<u> </u>			
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1401 500 2401 250 Notice of Appeal 1402 500 2402 260 Filling a brief in support of an appeal					
1403 1,000 2403 500 Request for oral hearing					
1451 1,510 2451 1,510 Petition to institute a public use proceeding					
1460 130 2480 150 Peditions to the Commissioner 1807 50 1807 50 Prosessing fee under 37 CFR 1.17(q)		<b>—</b>			
1806 180 1808 180 Submission of Information Disclosure Stmt.					
1809 790 1809 395 Filing a submission after final rejection (37 CFR §		_			
1810 790 2810 395 For each additional invention to be examined (37 C	CFR § 1.129(b))	$\vdash$			
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			20.00		
SUBMITTED BY	Decision Ma	····	Comp	lete (if applicable)	
Name (Print/Type) William Et Alford	Registration No. 37,7	164	Telephone	(714) 557-3800	
Signature Mills C	201		Date	12/16/04	

Bosed on PTO/SB/17 (12-04) as modified by Blakely, Solchoff, Taylor & Zetoch (Mr) 12/15/2004. SEND TO: Commissioner for Patenta, P.O. Box 1460, Alexandria, VA 22713-1450

Appl. No. 10/618,885 Amdt. Dated 12/16/2004 Reply to Office Action of 08/16/2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. : 10/618,885

. Confirmation No. 5877

Applicant : John F. Zumkehr et al.

Filed

: 07/14/2003

TC/A.U.

: 2188

Examiner

: Kevin L. Ellis

Docket No.

: 42P8827D

Customer No.

: 8791

Commissioner for Patents

PO Box 1450

Alexandria VA 22313-1450

## AMENDMENT AND RESPONSE TO THE OFFICE ACTION

Dear Sir:

In response to the Office action mailed on 08/16/2004, please enter the following amendments and remarks in the aboveidentified patent application:

SPECIFICATION amendment begins on page 2.

CLAIM listing begins on page 4.

REMARKS begin on page 15.

CONCLUSION with signature is on page 22.

Atty Docket 42P8827D

WEA/phs